fails to file papers in opposition to a motion [other than a motion for summary judgment], such failure may be considered by the court as an admission that the motion has merit."

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| 1 | For the foregoing reasons, Hetzel and Steiman are hereby disqualified from testifying as |
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| 2 | experts for defendant MNS. |
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| 5 | Dated this 3rd day of January, 2023. |
| 6 | MMS (asuk) Robert S. Lasnik |
| 7 | United States District Judge |
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